



Barney Frank's Statement on "Don't Ask, Don't Tell"
February 4, 2010

Over the past two weeks, President Obama and leading members of his administration have earned the gratitude of all of us who oppose unfair discrimination in their repudiation of the policy that has refused to allow many patriotic gay and lesbian Americans to serve in our country's military, and which has denigrated and degraded the service of many others.

For some time, it has been acknowledged by military leaders that the policy of denying gay and lesbian military personnel the ability to be honest about who they are was in no way based on any deficiency in their service. Twenty years ago, then-Defense Secretary Dick Cheney and Joint Chiefs of Staff Chair Colin Powell acknowledged that the ban did not reflect any problem with the dedication or ability of those servicemembers who had been so highly motivated to serve their country that they did so in the face of a discriminatory policy aimed specifically at them. Unfortunately, at that time, neither man was prepared to repudiate this form of discrimination, even while effectively acknowledging that there were no fair reasons for it.

As he promised in his campaign, President Obama has led the way in reversing this shameful pattern of condoning the mistreatment of gay and lesbian Americans who wish to serve our country. And his strong words in the State of the Union Speech were supported admirably by the Secretary of Defense and the Chairman of the Joint Chiefs of Staff.

As a gay man, I want to pay particular tribute to the decency, integrity, and courage of Admiral Mullen, who so clearly stated his opposition to a policy that has been deeply unfair to many men and women with whom he himself has served. I regret that Republican Members of the Committee saw fit to use this example of Admiral Mullen's courage as a basis for unfair criticism.

With this reaffirmation of the President's commitment, the strong statement of Admiral Mullen, and the support of Secretary Gates, the way is now clear for both houses of Congress to vote in this year's Defense Authorization to remove one of the few explicit endorsements of bigotry in our country. Secretary Gates says that he needs some time to prepare, but in fact, proceeding to pass repeal of "Don't Ask, Don't Tell" in both houses will take no longer than a review. The President is unlikely to have the Defense Authorization bill on his desk to sign until much later in the year, and with the Secretary of Defense proceeding now to plan for the implementation, there will be plenty of time for that plan to be completed before the bill is passed. I am unclear as to exactly what forms of implementation the Secretary thinks he needs, since it is acknowledged that gay men and lesbians have served bravely and ably in the military for some time, and have done so increasingly with the knowledge of their fellow servicemembers.

I particularly welcome the long-overdue commitment by Secretary Gates and Admiral Mullen to end discharges that in fact violate even the spirit of the unfair policy. President Clinton, in my judgment, deserves credit for trying to get this ban rescinded, and he has been unfairly criticized by those who do not realize that he tried and simply did not have the political force to succeed at that time. But since the enactment of "Don't Ask, Don't Tell," some gay and lesbian servicemembers have been discharged despite the fact that they never revealed their sexual orientation. But because they were reported by third parties – generally out of some form of malice – their careers were destroyed in ways that were not contemplated by the initial policy.

The commitment by the Secretary to end the practice of listening to third parties, rifling people's mail or email and in other ways discovering the sexuality of gay men and lesbians, other than by forms of information specified in the policy, is extremely welcome. In my judgment, an honest application of the policy as it was promulgated will reduce the number of discharges by well over 90%.

But that is of course not enough, and what is absolutely essential for the sake of fairness is to repeal the policy altogether. I look forward to working with my colleagues, Congressman Patrick Murphy and Senator Kirsten Gillibrand and also with others in the House and Senate who have taken the lead in confronting this unfairness.

Finally, the argument that we should not repeal "Don't Ask, Don't Tell" because we are in the midst of two wars is badly flawed. Ironically, the religious fundamentalist terrorists we are fighting generally agree with the defenders of this discriminatory policy in their opposition to the principle that gay men and lesbians should be treated fairly.

More importantly, the notion that we should continue to deny our military the service of thousands of Americans who want to serve, precisely at a time when we need people to serve, is turning logic absolutely on its head.